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## Colombia: Mine Action and Armed Conflict

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A soldier with a mine detector walks over the bodies of dead policemen in Mitu, the capital of the remote state of Vaupes, near the Brazilian border. Government troops had re-established control of the town seized by leftist rebels three days before, ending a siege in which around 50 soldiers and police were killed while an unknown number of police officers were taken prisoner.

# Colombia:

## Mine Action and Armed Conflict

### Mine and UXO Contamination in Colombia

Colombia is still in the throes of armed conflict and organised violence that has been ongoing during the past 40 years. Parties to the conflict include the government and armed forces of Colombia as well as numerous guerrilla groups. The two largest of these are the Revolutionary Armed Forces of Colombia (FARC), which first appeared in 1964, and the National Liberation Army (NLA or ELN). In addition, numerous paramilitary groups operating throughout the country receive tacit support from certain Colombian army units.<sup>1</sup> There continues to be disputed control over vast swathes of Colombian territory.

Colombia's guerrilla groups have been

using landmines and improvised explosive devices (IEDs) for more than a decade. The government suggests that up to 50,000 mines and IEDs may have been laid.<sup>2</sup> The FARC, the NLA and the paramilitaries continue to use anti-personnel mines on a regular basis, affecting both combatants and civilians.<sup>3</sup> There is even a suggestion that civilians in certain affected areas are required to carry out surveillance for armed groups and to place landmines.<sup>4</sup>

The commander of Colombia's armed forces, General Fernando Tapias Stahelin, has previously stated that, prior to signing the Anti-Personnel Mine Ban Convention, the armed forces laid approximately 20,000 anti-personnel mines throughout Colombian territory.<sup>5</sup> "According to a Ministry of Defence document, landmines were laid in the past for perimeter protection only, and the areas

involved are clearly marked out and raised up to prevent accidents.<sup>76</sup> The army claims that there have been no civilian victims from mines that it has laid.<sup>77</sup>

During the first 10 months of 2001, there were mine accidents (an incident involving a deminer) or incidents (involving anyone) in 22 out of Colombia's 31 departments (provinces) and 140 out of 1,097 municipalities.

### *The Impact of Mines and Unexploded Ordnance*

The precise number of casualties due to landmines and UXO is not known, "because of the lack of a reliable information system."<sup>78</sup> Available figures collated by the Observatorio suggest a minimum of 1,892 victims during 1990–2003, of whom 774 (41 percent) were civilians and 1,118 (59 percent) were military casualties, including 55 army deminers. Some 90 percent of the victims as a whole are male, and 80 percent are adults, with 10 percent children under 18,<sup>79</sup> and 10 percent unknown.

It is unclear if these figures are representative of the true picture, or whether, as has been suggested, they understate the percentage of civilian victims of mines and UXO.<sup>80</sup> If representative, they would suggest a fairly discriminate pattern of mine warfare. The army claimed that there had been 106 victims in the armed forces from January–July 2002 alone.<sup>81</sup>

## **The Mine Action Context**

### *National Intersectoral Mine Action Commission*

The National Intersectoral Mine Action Commission and the Technical Committees on Prevention and the Care on the Victims and on Signposting, Mapping and Mine Removal, were set up by Decree 2113 on 8 October 2001, bringing together all concerned governmental authorities and a representative of the non-governmental organization (NGO) community.<sup>82</sup> The principal functions of the Commission include ensuring compliance with Colombia's obligations under the Anti-Personnel Landmine Ban Convention and promoting and coordinating cooperation among the state, civil society and the international community. The Commission has not yet formally met. At the request of the Minister of Defence, a Ministerial Committee of the Military Forces

General Command, responsible for defining and ensuring agreement within the armed forces about mine action, has been set up within the Ministry of Defence.<sup>83</sup>

### *Observatorio de Minas Antipersonal*

The Observatorio, as the national coordinating body, falls under the responsibility of the Vice Presidential Human Rights Programme. The current capacity in the Observatorio includes coordination of the centre, data collection and entry for the Information Management System for Mine Action (IMSMA), a Geographic Information System specialist, and victim assistance expertise.

There is a need to build on existing capacity within the Observatorio by a programme of training and technical assistance. Although funding has been scarce for the Observatorio, the adoption of the law should give it access to regular resources, which could be supplemented by international organisations, such as the United Nations Development Programme (UNDP).

### *Data and IMSMA*

IMSMA has been installed in the Observatorio and is operational with regional support from the Geneva International Centre for Humanitarian Demining (GICHD). In addition, the Colombian Campaign to Ban Landmines (CCBL) has been monitoring and verifying press reports on landmine victims in cooperation with United Nations Children's Fund (UNICEF).

Most data-gathering has so far been carried out by the army and by an ongoing review of press reports being conducted by the Observatorio. Law 098/91 obliges all governmental and state authorities, including the army, to share information with Observatorio.

### *Mine and UXO Survey*

Colombia would like to do an indigenous version of the Landmine Impact Survey (LIS). Given the ongoing armed conflict, a true LIS is simply impracticable at this stage. Data-gathering, notwithstanding the inherent inaccuracy of the information, is worthwhile. The international donor community has raised the issue of a modified LIS for Colombia. Though the Colombian government has

shown some initial interest, it is clear that such an impact-type survey would be impractical in Colombia at the present time, as well as inappropriate, as the data such a survey generates is applicable primarily to humanitarian demining, something not yet mobilised in Colombia.

### *Mine Mapping and Marking*

So far, relatively few minefields in Colombia are believed to have been marked or retain marking signs.

### *Humanitarian Demining*

Humanitarian demining, as defined by the United Nations, is almost non-existent in Colombia at present. To date, almost all mine clearance in Colombia has been carried out by the armed forces, predominantly for operational rather than humanitarian reasons. The armed forces "cleared 52 minefields, monitored 52 more and confiscated a number of devices in 93 operations during the first 10 months of 2001."<sup>84</sup>

### *Landmine Stockpile Destruction*

Colombia has reported the destruction in 1999 of 2,542 anti-personnel mines at the José María Córdoba factory, but has yet to complete destruction of its remaining declared stockpiles of more than 23,000 anti-personnel mines. Stockpile destruction must be completed by March 2005, according to the provisions of Article 4 of the Anti-Personnel Mine Ban Convention. Colombia has declared it will retain 986 anti-personnel mines for the permitted purposes of training in mine detection and clearance.<sup>85</sup>

### *Mine and UXO Victim Assistance*

The Ministry of Health claims to have resources to deal with war wounded, but there are doubts as to its capacity to provide a comprehensive victim assistance programme that encompasses mine and UXO victims, especially amputees.

The Military Medical University fitted 26 prostheses in 2001 at least 24 in 2002.<sup>86</sup> The average age of the victims was 24 years, and almost all of the patients were military personnel.

Other nationwide information is not available—a detailed needs assessment for victim assistance could usefully be conducted, as long

as there is the wherewithal to implement programmes on the basis of the identified needs. There is a suggestion that guerrilla members who are injured do not have adequate access to health care; this is an essential part of building trust and peace. Assistance should be available on the basis of need to all.

Local victim assistance committees have been set up in five departments to support victim assistance initiatives. The precise role of the committees is unclear, including to the members themselves. Training for the committees and a better definition of their mandate and responsibilities is therefore one of a number of mine action priorities.

### *Mine Risk Education*

In essence, mine risk education (MRE) is the only operational mine action activity taking place in Colombia at the present time. The ongoing conflict, along with the large geographical, security and political constraints make MRE the only viable option for the foreseeable future. The Observatorio has worked hard at institutional capacity development as well as mobilising civil society and regional government in Colombia. There remains only a negligible amount of operational MRE underway, this mainly by small community organisations, although UNICEF, the International Committee of the Red Cross (ICRC) and the Organisation of American States (OAS) are involved in promoting the issue. Basic awareness does exist and the groundwork for future intervention has been laid.

### *Anti-Personnel Landmine Ban Advocacy*

Colombia ratified the Mine Ban Convention on 6 September 2000, thereby becoming a State Party on 1 March 2001. The decision to adhere to the Convention amid ongoing conflict is one that few governments have had the courage to take, and deserves praise. Moreover, on 20 June 2002, the Colombian Parliament enacted domestic legislation to give effect to the requirement for penal sanctions for violation of the Convention, although at the time of writing, Law 098/01 required a signature by the President in order to enter into force. Colombia is also party to the Amended Mines Protocol, (Protocol II) II to the 1980 Convention on Certain Conventional

Weapons, which regulates anti-personnel and anti-vehicle mines, booby-traps and other devices.

## **The Role of the GICHD in Colombia**

In July 2002, a joint request by both the Swiss Ministry of Foreign Affairs and the Observatorio asked the GICHD to assist in the review of existing strategies for mine and UXO awareness education in Colombia and to make recommendations for possible future orientation. In cooperation with the Swiss Ministry of Foreign Affairs, a long-term framework of assistance was developed. Over the course of the past two years, the GICHD has made five missions to Colombia, each with a separate capacity development objective.

### *Initial Assessment: July 2002*

The Observatorio requested the GICHD to review the existing strategies for mine and UXO awareness education in Colombia and to make recommendations for possible future orientation.

The Centre conducted an operational review of local MRE structures, taking into account risk-taking behaviour in Colombian communities affected by mines and UXO.

The GICHD made recommendations to the Observatorio that included the following:

- Establishment of a coordination structure for coordination of MRE in Colombia
- Recruitment of a full-time MRE Manager and Training Officer
- Development of a national framework for operational MRE, which should be situated within a strategic framework for mine action
- Preparation of a detailed needs assessment for MRE
- Carrying out of a Knowledge, Attitudes, Practices and Beliefs (KAPB) Survey in order to provide more detailed baseline planning data for future programmes
- Development of a national curriculum for MRE within a broader MRE communication strategy
- Participation in the development of international standards and their adaptation to the Colombian context
- Accreditation of organisations and bodies to carry out MRE in Colombia

### *MRE Pre-service Training: January 2003*

The GICHD mission of January 2003 was designed specifically to provide staff development training to the newly hired Observatorio staff (the MRE officer and the MRE trainer) as well as selected partners.

### *MRE In-service Training: July 2003*

In May 2003, the Observatorio requested a further mission to expand on certain themes that were deemed particularly relevant to the Colombian participants in MRE. The GICHD agreed to put together a three-day in-service workshop to address these specific themes.

### *Monitoring and Evaluation: December 2003*

The mission of December 2003 focused on monitoring and quality assurance of the Observatorio's work to date. As a regular part of the GICHD's prearranged assistance schedule, it was intended for the GICHD to observe the Observatorio in its training of local interlocutors and provide feedback on the form, content and conduct of that training. In addition, the GICHD was asked to provide overall guidance and advice on the direction of the Observatorio's programme.

### *MRE Strategic Planning Workshop: May 2004*

The GICHD mission of May 2004 focused on re-introducing the mine action structure and MRE to new Observatorio staff. The Observatorio had been through significant staff changes during the first part of 2004 and the Centre, at the request of the Swiss government, assisted in monitoring and evaluating the newly reorganised Observatorio. In addition, the GICHD was asked to conduct a brief strategic planning exercise with the Observatorio Staff with the express aims of setting a coherent future path and refining the pending proposal for funding to the Swiss government.

### *Future Cooperation*

The Observatorio has set the following goals for 2004 and 2005 in order to further develop as a national structure:



1. Finalise the Needs Assessment for MRE Colombia
2. Develop a Strategic Plan for MRE
3. Build technical capacity with the Observatorio
4. Develop an Operational Plan
5. Develop national standards

## Conclusion

The opportunity exists in Colombia to begin to address the serious consequences of mine use and insecurity that have resulted from the 40-year civil war. The GICHD has pledged to assist in these activities over the course of the next 18 months, through sponsoring international exchange of Observatorio staff as well as training and specific technical assistance missions.

\* Photo c/o AP

## Endnotes

1. See for example Human Rights Watch, *The "Sixth" Division: Military-Paramilitary Ties and U.S. Policy in Colombia*.
2. Office of the Vice President of Colombia, 2001:5.
3. ICBL, 2001:312-313.
4. Remarks by a participant at the roundtable on anti-personnel mines in California, 11 July 2002.
5. Office of the Vice President of Colombia, 2001:6.
6. Remarks made during the governmental roundtable on mine awareness, Bogota, 9 July 2002.
7. Office of the Vice President of Colombia, 2001:7.
8. The definition of a child is anyone under 18 years of age in accordance with the United Nations Convention on the Rights of the Child.
9. Remarks by participants at the roundtable on anti-personnel mines in California, 11 July 2002; ICBL, 2001:320.
10. Remarks made during the governmental roundtable on mine awareness, Bogota, 9 July 2002.
11. Anti-personnel Mine Ban Convention Article 7 Transparency Report of 30 April 2002.
12. Remarks made during the governmental roundtable on mine awareness, Bogotá, 9 July 2002; Office of the Vice President of Colombia, 2001:10.
13. Office of the Vice President of Colombia, 2001:5.
14. In accordance with Article 3 of the Anti-personnel Mine Ban Convention.
15. Remarks made during the non-governmental roundtable on mine awareness, Bogotá, 9 July 2002.

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